

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JOHN LITTLE,)	
)	
Plaintiff,)	CASE NO. C05-1220RSL-JPD
)	
v.)	
)	
)	
NIKKI BEHNER, <i>et al.</i> ,)	ORDER DIRECTING RESPONSE
)	TO PLAINTIFF'S MOTION FOR
Defendants.)	RECONSIDERATION
_____)	

This is a civil rights action brought under 42 U.S.C. § 1983. Plaintiff has three motions pending before this Court at the present time: a motion for reconsideration of a prior Order of this Court; a motion for preliminary injunctive relief; and, a motion for leave to schedule a conference. In his motion for reconsideration, plaintiff seeks reconsideration of portions of this Court's November 3, 2005, Order in which the Court denied plaintiff's motion for an order granting him access to the law library and to legal material, and also limited the amount of additional time plaintiff would have to file a response to defendants' pending summary judgment motion. In conjunction with his request for reconsideration, plaintiff requests that he be granted an additional 45 days to respond to defendants' summary judgment motion, and that a

ORDER DIRECTING RESPONSE
TO PLAINTIFF'S MOTION FOR
RECONSIDERATION - 1

1 preliminary injunction issue restraining the retaliatory acts of Snohomish County Jail employees
2 which are interfering with plaintiff's right of meaningful access to the Courts.

3 In addition to the request for preliminary injunctive relief set forth in plaintiff's motion
4 for reconsideration, plaintiff has also filed a document entitled "John Little's Motion for
5 Preliminary Injunction Supplemented" in which plaintiff sets forth additional arguments in
6 support of his earlier request for preliminary injunctive relief. Specifically, plaintiff appears to
7 argue in these supplemental materials that the acts of certain Snohomish County employees,
8 individuals who are not defendants in this lawsuit, have interfered with plaintiff's right of
9 meaningful access to the courts in retaliation for plaintiff's exercise of his rights under the First
10 Amendment.

11 Because the arguments offered by plaintiff in support of his request for preliminary
12 injunctive relief are related to his request for reconsideration of this Court's prior Order denying
13 plaintiff an order granting him access to the law library and to legal materials, and because the
14 pertinent issue before this Court is whether plaintiff has sufficient access to the law library and to
15 legal materials to allow him to adequately litigate this action, this Court will consider all of
16 plaintiff's arguments together in the context of his motion for reconsideration.

17 Based upon the foregoing, the Court does hereby ORDER as follows:

18 (1) Defendants shall file and serve a response to plaintiff's motion for reconsideration
19 not later than **December 19, 2005**. Plaintiff may file and serve any reply brief in support of his
20 motion for reconsideration not later than **December 23, 2005**. Plaintiff's motion for
21 reconsideration (Dkt. No. 29) is RE-NOTED on the Court's calendar for consideration on
22 **December 23, 2005**.


23 (2) Plaintiff's "Motion for Preliminary Injunction Supplemented" (Dkt. No. 33) is
24 STRICKEN from the Court's motion calendar. The Court will consider the arguments presented
25 ORDER DIRECTING RESPONSE
26 TO PLAINTIFF'S MOTION FOR
RECONSIDERATION - 2

1 therein when it rules on plaintiff's motion for reconsideration.

2 (3) Plaintiff's motion for leave to schedule a conference between the parties (Dkt. No.
3 32) is DENIED. Plaintiff apparently seeks the Court's assistance in setting a conference at which
4 the parties can confer about discovery and the possibility of settlement. However, plaintiff fails
5 to demonstrate that the Court's assistance is required in this regard. If plaintiff wishes to discuss
6 discovery or settlement issues with opposing counsel, plaintiff should contact opposing counsel
7 directly to make such arrangements. Plaintiff does not indicate that he has made any such efforts
8 at this juncture.

9 (4) The Clerk is directed to send copies of this Order to plaintiff, to counsel for
10 defendants, and to the Honorable Robert S. Lasnik.

11 DATED this 9th day of December, 2005.

12
13 
14 JAMES P. DONOHUE
15 United States Magistrate Judge
16
17
18
19
20
21
22
23
24

25 ORDER DIRECTING RESPONSE
26 TO PLAINTIFF'S MOTION FOR
RECONSIDERATION - 3